



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE

A. G. Kawamura, Secretary

November 4, 2008

NOTICE TO COMMERCIAL FERTILIZER INDUSTRY

Proposed Fertilizer Regulations: Reopening of the Written Comment Period

You are again invited to submit written comments regarding the proposed regulation changes (see below). It was the intention of the California Department of Food and Agriculture (CDFA) to allow forty-five days for interested parties to submit written comments regarding the proposed regulation changes. Therefore, CDFA is reopening the comment period to comply with the Office of Administrative Law requirements. Please keep in mind, the language of the proposed regulation changes has not changed since the original notification.

The proposed regulation changes are intended to clarify the manufacturer's responsibility to provide the Secretary with information on the composition of fertilizing materials. This ingredient list is necessary to substantiate a product's intended use, efficacy, label claims, and safety, and to determine if the product is misbranded or adulterated. The proposed regulation changes will also assure that submitted information designated as "trade secrets," and deemed as such by the Secretary, will be protected and will not be released to the public without due process.

The Secretary of the Department has proposed these regulation changes based upon the recommendation of the Fertilizer Inspection Advisory Board (FIAB). The FIAB is comprised of eight commercial fertilizer licensees and one public member who collectively serve as advisory to the Secretary. The FIAB may make recommendations on all matters including, but not limited to, the inspection and enforcement program, research and education, the annual budget, fees necessary to provide adequate inspection services, and regulations required to enforce the statutes of the Food and Agricultural Code

For your convenience, a copy of the proposed regulation changes has been enclosed with this notice. You can also find the proposed regulation language, the initial statement of reason and the proposed rule making statement on the California Department of Food and Agriculture website:

<http://www.cdfa.ca.gov/is/regulations.html>



WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department. The written comment period closes at 5:00 p.m. on November 24, 2008. Please remember, the Department will only consider comments received by that time. Submit comments to

Kent Kitade, Program Supervisor
Feed, Fertilizer, Livestock Drug and Egg Regulatory Services Branch
California Department of Food and Agriculture
1220 N Street
Sacramento, CA 95814

Sincerely,



Asif A. Maan, Ph.D., Branch Chief
Feed, Fertilizer, Livestock Drugs and Egg Regulatory Services
Inspection Services

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Enclosures

